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Sen'ichi Onoda

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WENDEROTH, LIND & PONACK, L.L.P.

1030 15th Street, N.W.,

Suite 400 East

Washington, DC 20005-1503

EXAMINER

KIM, STEVEN S

ART UNIT

PAPER NUMBER

3685

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/540,024	Applicant(s) ONODA ET AL.	
	Examiner STEVEN KIM	Art Unit 3685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to Applicant's amendments filed on 3/09/2009, hereinafter referred to as "Amend0309". Claims 1-4, 6-9, and 11-30 have been amended. Claims 1-30 are pending.

Response to Arguments/Amendments

2. Applicant's arguments/amendments filed 3/09/09 have been fully considered but they are not persuasive.

3. The Applicant has amended the language "operable to" used throughout the originally filed claims by removing "operable to" throughout the amended claims. The amended claims, however, now recite "configured to" which merely describes "intended use". It has been held that the manner in which a claimed apparatus is intended to be used does not distinguish the claimed apparatus from the prior art- if the prior art has the capability to so perform (MPEP 2114 and Ex parte Masham, 2 USPQ2d 1647 (1987)). Similarly, while features of an apparatus may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function alone (MPEP 2214; In re Swineheart, 169 USPQ 226; In re Schreiber, 44 USPQ2d 1429 (Fed. Cir. 1997)).

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4. The Applicant has sufficiently addressed the 35 USC 101 rejections on claims 29 and 30. Hence, the 35 USC 101 rejections on claims 29 and 30 in the prior office action are withdrawn.

5. The claims 27 and 28 amendments, however, necessitate 35 USC 101 rejections since the claimed invention is directed to non-statutory subject matter. Based on Supreme Court precedent (See also *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876)) and recent Federal Circuit decisions, a §101 process must (1) be tied to another statutory class (such as a particular apparatus) or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. In addition, the tie to a particular apparatus, for example, cannot be mere extra-solution activity. See *In re Bilski*, 88 USPQ2d 1385 (Fed. Cir. 2008). An example of a method claim that would not qualify as a statutory process would be a claim that recited purely mental steps. To meet prong (1), the method step should positively recite the other statutory class (the thing or product) to which it is tied. This may be accomplished by having the claim positively recite the machine that accomplishes the method steps. Alternatively or to meet prong (2), the method step should positively recite identifying the material that is being changed to a different state or positively recite the subject matter that is being transformed. In this particular case, claims 27 and 28 fail prong (1) because the “tie” (e.g. storing, judging, using, requesting) is representative of extra-solution activity. Additionally, the claim(s)

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fail prong (2) because the method steps do not transform the underlying subject matter to a different state or thing.

6. The amendments also necessitate 35 USC 112, second paragraph, rejections.

The amendments contain much of language that renders the claims to be indefinite.

For example, claim 27 is directed toward "a right management method in a right management server" (see preamble), however, the recited steps are directed towards the steps performed by the user terminal which falls outside of "method in a right management server". For this reason, the scope of the claimed invention is indefinite. Claim 29 is rejected similarly.

Claim 28 is directed towards a method, e.g. "content using method comprising". The claim, however, is also directed towards an apparatus, e.g. "a using unit configured to use". It has been held a single claim which purports to be both a product or machine and a process is ambiguous and is properly rejected under 35 USC 112, second paragraph, for failing to particularly point out and distinctly claim the invention (Ex Parte Lyell, 17 LISPQ2d 1548 (B.P.A.I. 1990)). Similarly, claim 30 is directed towards the program causing a computer to execute the steps, e.g. storing, judging. However, the claim is also directed towards an apparatus, e.g. "a using unit configured to use".

Continuing on claim 28, the claim recites "a using unit configured to use the content ... when the license information the license information is judged to be valid". It is unclear what "license information the license information" is.

Claims 28-30 recite "requesting to (i) send the license ... to the right management server ... and ii) receive and updated license". Receive and updated license is unclear. Furthermore, the scope is unclear. For example, is the requesting to the right server or sending the license to the right server? If the send and receive are functions of the user terminal then why request to the server for functions performed by the user terminal? The Applicant is advised to clarify the claim by positively reciting steps performed by a device, e.g. sending the license.

Furthermore, the Applicant has failed to address most of the 35 USC 112 rejections in the prior office action.

7. The Applicant's asserts that cited prior art do not disclose or suggests: sending the license information to the right management server when updating the license information whose use right is consumed; and updating the second condition information that is for limiting the first condition and that is included in the license information, thereby generates the updated license information. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., sending the license information to the right management server when updating the license information whose use right is consumed and updating the second condition information that is for limiting the first condition and that is included in the license information, thereby generates the updated license information) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from

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the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, prior art Ginter discloses limited use conditions, i.e. expiration and counters both relating to meter and budget of content use (see col./lines 150/60-151/25). Ginter also discloses replenishing the limited use (see col. 264, lines 22-23; col. 317, lines 1-22). Moreover, US Patent 6,697,948 to Rabin et al., one of the references cited by the Examiner, discloses sending of the license information to the rights management server for usage control, i.e. controlling tag usage status (see col. 5, lines 8-28).

Additionally, the Applicant is directed to claims that recite "when", which is considered as optional language. As matter of linguistic precision, optional claim elements do not narrow claim limitations, since they can always be omitted (*In re Johnston*, 77 USPQ2d 1788 (Fed. Circ. 2006)). They will be given less patentable weight, because language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation.

8. The Examiner maintains the art rejections based on the evidence supported above.

Claim Rejections - 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 27 and 28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Based on Supreme Court precedent (See also *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876)) and recent Federal Circuit decisions, a §101 process must (1) be tied to another statutory class (such as a particular apparatus) or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. In addition, the tie to a particular apparatus, for example, cannot be mere extra-solution activity. See *In re Bilski*, 88 USPQ2d 1385 (Fed. Cir. 2008).

11. An example of a method claim that would not qualify as a statutory process would be a claim that recited purely mental steps.

12. To meet prong (1), the method step should positively recite the other statutory class (the thing or product) to which it is tied. This may be accomplished by having the claim positively recite the machine that accomplishes the method steps. Alternatively or to meet prong (2), the method step should positively recite identifying the material that is being changed to a different state or positively recite the subject matter that is being transformed.

13. In this particular case, claim 1 fails prong (1) because the “tie” (e.g. receiving at a computer) is representative of extra-solution activity. Additionally, the claim(s) fail prong

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(2) because the method steps do not transform the underlying subject matter to a different state or thing.

Claim Rejections - 35 USC § 112

14. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

15. Claims 1-16 and 22-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

16. Claims 1, 22, and 27-30, recite requesting "to i) send the license information ... when the license information is judged to be invalid, and ii) receive an updated license information". It is unclear whether the condition of when the license information is judged to be invalid applies to both "send" and "receive". Claims 2-16 and 23-26 are rejected similarly as they depend on claims 1 or 22.

17. As per claims 8 and 23, the claims recite the limitation "the use right" and "the provision". There is insufficient antecedent basis for this limitation in the claim.

18. As per claims 9 and 24, the claims recite the limitation "the number of actual uses" and "the item of the usage amount". There is insufficient antecedent basis for this limitation in the claim.

19. As per claim 13, the term "uniformly" is a relative term which renders the claim indefinite. The term "uniformly" is not defined by the claim, the specification does not

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provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

20. As per claim 15, the claim recites the limitation "the maximum allowable number of use". There is insufficient antecedent basis for this limitation in the claim.

21. As per claims 16 and 24, the claim is rejected since it is unclear what the Applicant is claiming. Specifically, the claim recites "a value of an item of a usage amount included in said license information is not less than a value of the second condition, said usage amount being an item into which the number of actual uses of the content is recorded with a default value being 0 when the content is used based on the license information." Based on the claim language, an ordinary skill in the art would not be able to ascertain clear relationship among value(s), item(s), usage amount and content use nor would the person of ordinary skill in the art ascertain which component(s) is performing the recording. (In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989), "... an essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous").

22. Furthermore claim 16 recites the limitation "the number of actual uses". There is insufficient antecedent basis for this limitation in the claim.

23. As per claims 9, 16 and 24, it is unclear what "item of a usage amount" is. Item of usage amount is not disclosed in the specification.

24. As per claim 27, the claim is directed toward "a right management method in a right management server" (see preamble), however, the recited steps are directed towards the steps performed by the user terminal which falls outside of "method in a

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right management server". For this reason, the scope of the claimed invention is indefinite. Claim 29 is rejected similarly.

25. Claim 28 is directed towards a method, e.g. "content using method comprising". The claim, however, is also directed towards an apparatus, e.g. "a using unit configured to use". It has been held a single claim which purports to be both a product or machine and a process is ambiguous and is properly rejected under 35 USC 112, second paragraph, for failing to particularly point out and distinctly claim the invention (Ex Parte Lyell, 17 LISPQ2d 1548 (B.P.A.I. 1990)).

26. Similarly, claim 30 is directed towards the program causing a computer to execute the steps, e.g. storing, judging. However, the claim is also directed towards an apparatus, e.g. "a using unit configured to use".

27. Continuing on claim 28, the claim recites "a using unit configured to use the content ... when the license information the license information is judged to be valid". It is unclear what "license information the license information" is.

28. Claims 28-30 recite "requesting to (i) send the license ... to the right management server ... and ii) receive and updated license". Receive and updated license is unclear. Furthermore, the scope is unclear. For example, is the requesting to the right server or sending the license to the right server? If the send and receive are functions of the user terminal then why request to the server for functions performed by the user terminal?

Claim Rejections - 35 USC § 103

29. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

30. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,892,900 to Ginter et al., hereinafter referred to as "Ginter".

31. Ginter discloses a digital content distribution system comprising a right management server and a user terminal which are connected to each other via a communication network, said right management server issuing, to the user terminal, license information for permitting a user to use a content, and said user terminal using the content based on the license information obtained from the right management server (see Fig. 2 and Fig. 2A; col. 3, lines 19-29; col. 9, lines 37-42; col. 7, lines 46-48; col. 1, lines 24-36; col. 2, lines 19-32; col. 5, lines 40-45),

- wherein the right management server includes:
 - a first condition generation unit operable to generate a first condition based on a content use right owned by the user, said first condition being a condition for permitting the user to use the content (see Fig 2 and Fig. 2A; col. 3, lines 49-52; col. 6, lines 30-36; col. 8, lines 24-26; col. 9, lines 21-24; col. 13, lines 63-65; col. 16, lines 56-57; Fig. 5A and Fig. 5B, permission records and budgets; col. 134, lines 29-38)

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- a second condition generation unit operable to generate a second condition that indicates a part or all of the use permitted under the first condition and indicates whether the license information is valid or invalid based on a logical product of the first condition and said second condition (see Fig 2 and Fig. 2A ; col. 3, lines 49-52; col. 6, lines 30-36; col. 8, lines 24-26; col. 13, lines 63-65; col. 16, lines 56-57; Fig. 5A and Fig. 5B, permission records and budgets; col. 134, lines 29-38; col. 150, lines 43-49)
- a license generation unit operable to generate the license information including the first condition and the second condition in response to a license obtainment request from the user terminal (see Fig 2 and Fig. 2A; col. 13, lines 63-65; Fig. 5A and Fig. 5B, permission records and budgets)
- a license issuance unit operable to issue the generated license information to the user terminal so that said user terminal obtains said license information (see Fig 2 and Fig. 2A; col. 13, lines 63-65; Fig. 5A and Fig. 5B, permission records and budgets),
- a return acceptance unit operable to accept, from the user terminal, return of the license information which is judged to be invalid (see Fig 2, Fig. 2A and Fig. 41d);
- an invalidation cancellation unit operable to cancel invalidation of the license information by updating the second condition included in the

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returned license information to a new value (see Fig. 2, Fig. 2A and Fig. 41d; col. 138, lines 14-63); and

- a reissuance unit operable to reissue, to the user terminal, the license information of which invalidation is cancelled (see Fig 2 and Fig. 2A; col. 138, lines 14-63); and
- the user terminal includes:
 - a license obtainment requesting unit operable to request the right management server to issue the license information so as to obtain said license information (see Fig 2 and Fig. 2A;
 - an invalidity judgment unit operable to judge whether the license information is invalid or not based on the first condition and the second condition included in the obtained license information (see Fig. 2 and Fig. 2A;
 - a using unit operable to provide the use of the content to the user when it is judged that the license information is not invalid (see Fig. 2 and Fig. 2A; and
 - a license information returning unit operable to return the license information to the right management server when it is judged that the license information is invalid (see Fig. 2, Fig. 2A and Fig. 41d; col. 138, lines 14-19)

32. Ginter also discloses wherein the user terminal further includes a history information storage unit operable to generate history information indicating a history of

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the use of the content when said content is used by the using unit, and store the generated history information, and the license information returning unit transmits the license information to be returned, together with the stored history information, to the right management server (see Fig. 2; col. 3, lines 30-31; col. 48, lines 42-43; col. 54, lines 50-53; col. 58, lines 50-53; col./lines 150/43 – 151/36).

33. Ginter further discloses wherein

- [claim 4] the second condition is represented by a maximum allowable number of uses of the content which is counted when said content is used after a date when the license information is issued (see Fig. 5B, Budgets 308; col. 55, 19-23; col. 58, lines 63-67; col./line 150/60-151/28);
- [claim 5] the second condition is represented by an expiry date of a validity period of the content which starts on a date when the license information is issued (see col./line 150/60-151/28; Fig. 26; Fig. 26A; Fig. 26B); and
- [claim 6] the second condition is represented by a subset of the first condition, said subset being either a maximum allowable number of uses which is not more than a maximum allowable number of uses indicated in the first condition or an expiry date which is earlier than an expiry date indicated in the first condition (see Fig. 5B, Budgets 308; col. 55, 19-23; col. 58, lines 63-67; col./line 150/60-151/28; Fig. 26; Fig. 26A; Fig. 26B).

34. Ginter also discloses wherein the invalidity judgment unit judges whether the license information is invalid or not based on the updated second condition included in the reissued license information and based on the second condition included in the

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license information, said condition having been updated by the right management server, said license information having been returned and reissued (see Fig 2 and Fig. 2A; col. 138, lines 14-63).

35. Ginter discloses wherein the using unit includes a condition updating unit operable to update each of the first condition and the second condition to a new value obtained by subtracting a value of the use right which is consumed under the provision of the use, every time the content is used (see col./lines, 150/60-151/36).

36. Ginter discloses wherein the second condition generation unit includes a rule storage unit operable to previously store a rule for generating the second condition, and the second condition generation unit generates the second condition according to the rule stored in the rule storage unit (see Fig. 2, Fig. 2A, Fig 4 and Fig. 5B; col. 54, lines 26-32).

37. Ginter further discloses wherein the rule is defined for each use right of each content, and the second condition generation unit generates the second condition for each license information according to the rule (see Fig. 2, Fig. 2A, Fig 4 and Fig. 5B; col. 54, lines 26-32).

38. Ginter further discloses wherein the rule is defined uniformly for any use right, and the second condition generation unit generates the second condition uniformly for any license information according to the rule (see Fig. 2, Fig. 2A, Fig 4 and Fig. 5B; col./line 54/26-55/11).

39. Ginter discloses wherein the license information includes at least a license information ID for identifying the license information, the first condition, the second

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condition and a content decryption key for decrypting an encrypted content which is permitted to be used based on the license information (see Fig. 5A; Fig. 5B; Fig. 20; Fig. 26; Fig. 26A; Fig. 26B).

40. Ginter further discloses wherein the invalidity judgment unit judges whether the license information is invalid or not (see Fig 2 and Fig. 2A; col. 138, lines 14-63; col. 58, lines 64-67; col./line 150/60-151/36) by comparing between a value of the second condition and a value of the item of the usage amount, both of which are included in said license information; and the using unit includes a usage amount calculation unit operable to increment the number of actual uses recorded in the item of the usage amount by an amount of an actual use, every time the content is used (see col./line 150/60-151/26).

41. The Applicant also recites “wherein the license information includes an item of a usage amount into which the number of actual uses of the content is recorded with a default value being 0, when the content is used based on the license information”.

However, the recited language is merely description of license which is non-functional descriptive material and do not further limit the claim.

42. While Ginter discloses a method and system of controlling the methods and events used in metering/budgeting (see Abstract), Ginter does not specifically disclose wherein the invalidity judgment unit judges whether the license information is invalid or not every time power is applied to the user terminal. However, the Examiner takes official notice that validating the license every time when a power is applied to a device

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is old and well known in the art (see cited reference, US Patent No. 6,223,291, col./line 5/62-6/16).

43. It would have been obvious to one of ordinary skill in the art to combine the teachings as both references relates to license. One of the ordinary skill in the art would have been motivated to combine the teachings in order to monitor unauthorized/invalid licensed content on the device.

44. As per claims 15 and 16, the Applicant recites "the invalidity judgment unit judges that the license information is invalid when the maximum allowable number of uses in the second condition is 0 and when a value of an a usage amount included in said license information is not less than a value of the second condition, said usage amount being an item into which the number of actual uses of the content is recorded with a default value being 0 when the content is used based on the license information." Such claim language, i.e. "when", is an optional language that does not narrow the claim. See e.g. MPEP §2106 II C. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. See: In re Johnston, 77 USPQ2d 1788 (CA FC 2006); Intel Corp. v. Int'l Trade Comm'n, 20 USPQ2d 1161 (Fed. Cir. 1991); MPEP §2106 II. Hence, the prior art reads on the claims.

Conclusion

45. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

46. Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN KIM whose telephone number is (571)270-5287. The examiner can normally be reached on Monday - Thursday (7:30AM - 5:00PM).

47. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin Hewitt can be reached on (571)272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

48. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. K./

Examiner, Art Unit 3685

/Calvin L Hewitt II/

Supervisory Patent Examiner, Art Unit 3685